

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

FRANK WISNIEWSKI, et al.,  
Plaintiffs,  
v.  
JOHNSON CONTROLS, INC.,  
Defendant.

22 Civ. 10287 (DEH)

**ORDER**

DALE E. HO, United States District Judge:

On August 14 and 19, 2024, the parties filed joint status letters in advance of the post-discovery conference scheduled to take place on **August 22, 2024, at 11:00 a.m. EST**. *See* ECF Nos. 60, 62. No significant issues were presented by the parties' materials. Accordingly, it is hereby **ORDERED** that the post-discovery conference is **CANCELLED**. If the parties wish to proceed with the conference, they shall promptly file a letter on ECF so the conference can be reinstated on the Court's calendar.

It is **FURTHER ORDERED** that this case is referred for mediation to the Court-annexed Mediation Program. The parties were previously referred for mediation on January 22, 2023. *See* ECF No. 11. The October 17, 2023, Final Report of the assigned mediator indicated that mediation was unsuccessful in resolving any issue in this case. *See* ECF No. 27. Nonetheless, the parties have agreed to attempt another mediation after October 1, 2024. *See* ECF No. 60. The parties are notified that Local Rule 83.9 shall govern the mediation and are directed to participate in the mediation in good faith. The mediation will have no effect upon any scheduling Order issued by this Court without leave of this Court.

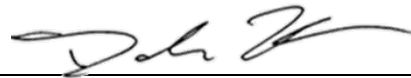
It is **FURTHER ORDERED** that the following deadlines shall apply:

- The parties shall file a status letter as to the status of mediation **within 7 days after the conclusion of mediation**.

- Defendant's motion for partial summary judgment shall be due **45 days after the conclusion of the mediation;**
- Plaintiffs' cross-motion and response shall be due **30 days thereafter;**
- Defendant's response and reply shall be due **30 days thereafter;** and
- Plaintiffs' reply shall be due **15 days thereafter.**

SO ORDERED.

Dated: August 20, 2024  
New York, New York



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DALE E. HO  
United States District Judge